

PLANNED PARENTHOOD SOUTH
ATLANTIC, *et al.*,

Plaintiffs,

V.

JOSHUA STEIN, *et al.*,

Defendants.

) Case No. 1:23-cv-00480-CCE-LPA

PLAINTIFFS' UNOPPOSED MOTION TO EXCEED WORD LIMITATION

Plaintiffs, by and through undersigned counsel, respectfully move for a 2,250-word extension of the 6,250-word limit for briefs prescribed by Local Rule 7.3(d)(1). In support, Plaintiffs state:

1. Plaintiffs intend to move for a temporary restraining order and preliminary injunction in the above-captioned case. Plaintiffs plan to file their motion today, June 21, 2023.
2. At issue in this litigation are Parts I and II of North Carolina Session Law 2023-14 (“S.B. 20” or “the Act”). *See* Verified Compl. for Injunctive & Declaratory Relief (ECF No. 1). S.B. 20 is lengthy, consisting of 45 single-spaced pages. The Act drastically revises existing state law governing abortion by amending or creating more than 50 sections of the General Statutes of North Carolina. These changes affect nearly every aspect of the provision of abortion in the state.

2. At issue in this litigation are Parts I and II of North Carolina Session Law 2023-14 (“S.B. 20” or “the Act”). *See* Verified Compl. for Injunctive & Declaratory Relief (ECF No. 1). S.B. 20 is lengthy, consisting of 45 single-spaced pages. The Act drastically revises existing state law governing abortion by amending or creating more than 50 sections of the General Statutes of North Carolina. These changes affect nearly every aspect of the provision of abortion in the state.

3. Plaintiffs have filed an 87-paragraph complaint that raises numerous claims challenging the constitutionality of various provisions of the Act, including on Due Process, Equal Protection, and First Amendment grounds.

4. Plaintiffs' brief in support of their motion for a temporary restraining order and preliminary injunction seeks to enjoin the Act based, in large part, on numerous, confusing and contradictory sections of the Act and raises numerous constitutional arguments, including that: the Act is unconstitutionally vague; sections of the Act are irrational; sections of the Act impose requirements that are impossible to comply with; sections of the Act explicitly contradict one another; and sections of Act can be interpreted in ways that violate the First Amendment.

5. To both adequately explain the inconsistencies and contradictions resulting from S.B. 20's extensive changes to North Carolina law and to make comprehensive legal arguments that demonstrate Plaintiffs' likelihood of success on the merits of their claims, Plaintiffs request permission to file an overlength brief in support of their motion for a temporary restraining order and preliminary injunction.

6. Plaintiffs' counsel attempted to confer by e-mail with counsel for all parties this morning. Counsel for all Defendants except Defendants Crump, David, Freeman, Williams, West, Nieman, O'Neill, Deberry. and Merriweather (collectively, the District Attorney Defendants) have responded. All who have responded state that they do not oppose this Motion. Counsel for the District Attorney Defendants has not yet communicated a position on this Motion.

7. Plaintiffs have agreed that if Defendants decide to move for similar word extensions for their responses, Plaintiffs will not oppose such a motion.

WHEREFORE, Plaintiffs respectfully request that the Court allow them to file a brief not to exceed 8,500 words in support of their Motion for a Temporary Restraining Order and Preliminary Injunction.

Dated: June 21, 2023

Respectfully submitted,

s/ Kristi Graunke

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*Special appearance filed

CERTIFICATE OF SERVICE

I hereby certify that, on June 21, 2023, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system and will also serve this motion on Defendants' counsel via email. For defendants who have not yet agreed to accept service by email alone, I will serve by certified U.S. mail.

s/ Kristi Graunke

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